

PUBLIC NOTICE



**US Army Corps
of Engineers
Kansas City District**

**Permit No. 2007-612
Issue Date: June 4, 2007
Expiration Date: June 25, 2007**

21-Day Notice

This public notice is issued jointly with the Missouri Department of Natural Resources, Water Pollution Control Program. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, Missouri 65102.

APPLICANT: Skyport, LLC
6800 Lake Drive, Suite 125
West Des Moines, Iowa 50266

PROJECT LOCATION (As shown on the attached drawings): The project site is on approximately 160 acres of agricultural land east of North Congress Avenue and south of 108th Street in Kansas City, Missouri. It is located in Section 25, Township 52 North, Range 34 West, Platte County, Missouri. Approximate center coordinates are: Latitude 39.2866 and Longitude -94.6631 USGS QUAD: Ferrelview

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344)

ACTIVITY (As shown on the attached drawings): The project involves development of the full tract of land for commercial industrial purposes and will involve soil grading to prepare the entire site for building pads, parking and other related facilities including stormwater detention basins. The site contains crop land, grassed waterways including some with riparian vegetation and approximately 30 acres of woodland on steeper sloping land located in the southeast portion of the site. Jurisdictional waters within the project area include approximately 500 linear feet of a tributary stream channel of Second Creek and 2.54 acres of wetland. Mitigation for the impact to jurisdictional waters on the site is proposed to be mitigated by the applicant at an almost 2:1 ratio to an off-site location approximately 8 miles northeast of the project. The development site is within 2 miles of the Kansas City International Airport discouraging development of on-site wetland mitigation sites due to Federal Aviation Administration safety recommendations.

WETLANDS: The project site contains 4 small palustrine emergent and scrub-shrub wetlands associated with agricultural ponds or former ponds. Total wetland acreage on the site equals 2.54 acres, all of which would be filled by the development.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting Brian Donahue at (816) 389-3703, FAX at (816) 389-2032, or by email at Brian.T.Donahue@usace.army.mil . You may also write to the U.S. Army Corps of Engineers, Kansas City Regulatory Office, 700 Federal Building, 601 East 12th Street, Kansas City, Missouri, 64106. All comments to this public notice should be directed to the above address.

CULTURAL RESOURCES: Kansas City District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. We have checked the National Register of Historic Places and the Federal Register and no property listed in the Register or proposed for listing is located in the permit area. This is the extent of our knowledge about historic properties in the permit area at this time. However, we will evaluate input by the State Historic Preservation Officer and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic properties, if warranted.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before a Department of the Army permit can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to issue a permit will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

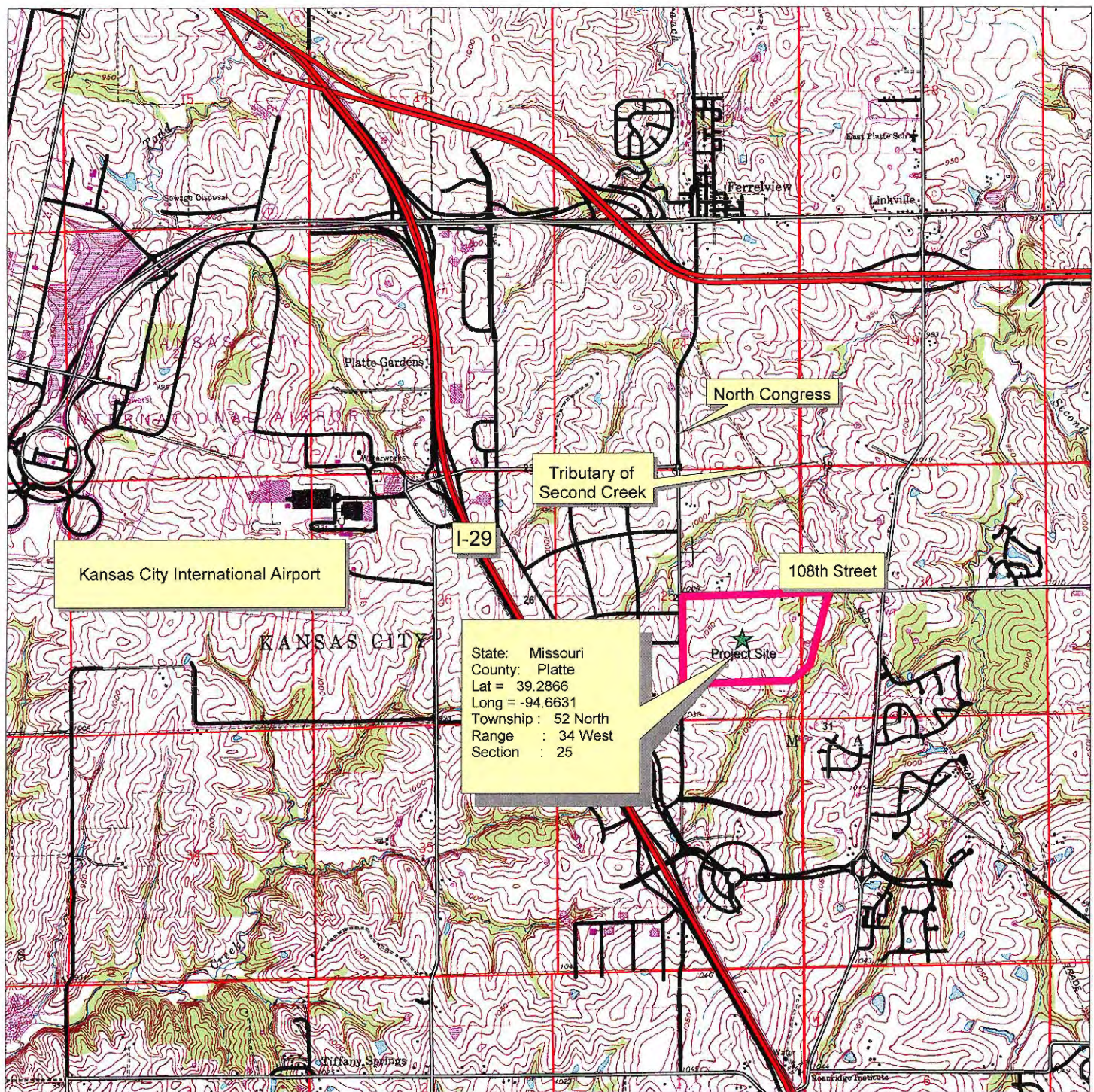
COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if issuance of a permit would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to issue the Department of the Army permit. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be mailed to the address shown on page 2 of this public notice.

PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

NOTE: This public notice is posted on the Kansas City District Regulatory web page and can be viewed at the following address:

http://www.nwk.usace.army.mil/regulatory/public_notices.htm

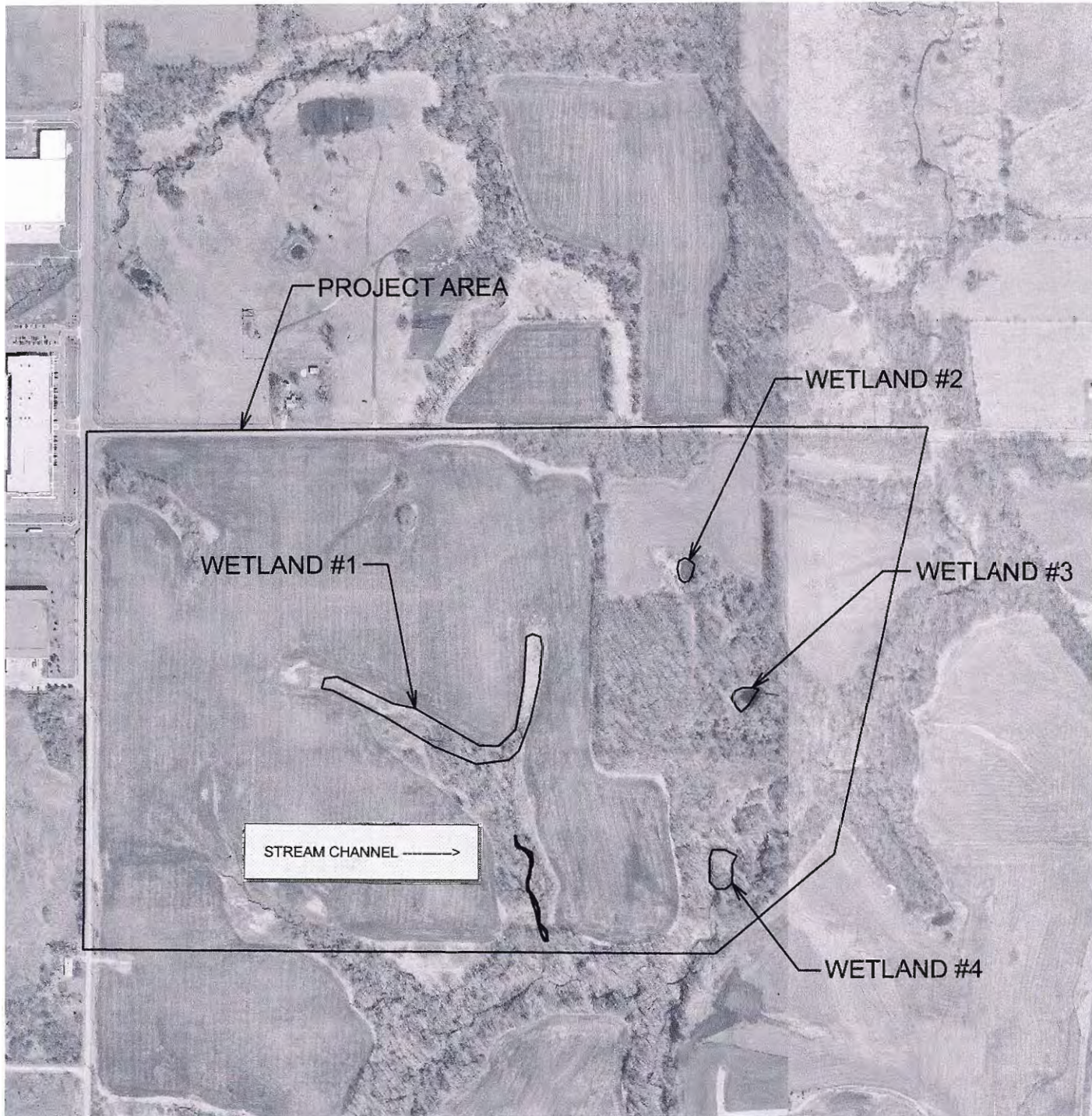
Application 2007-612, Skyport Development



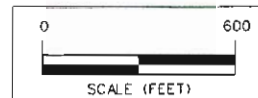
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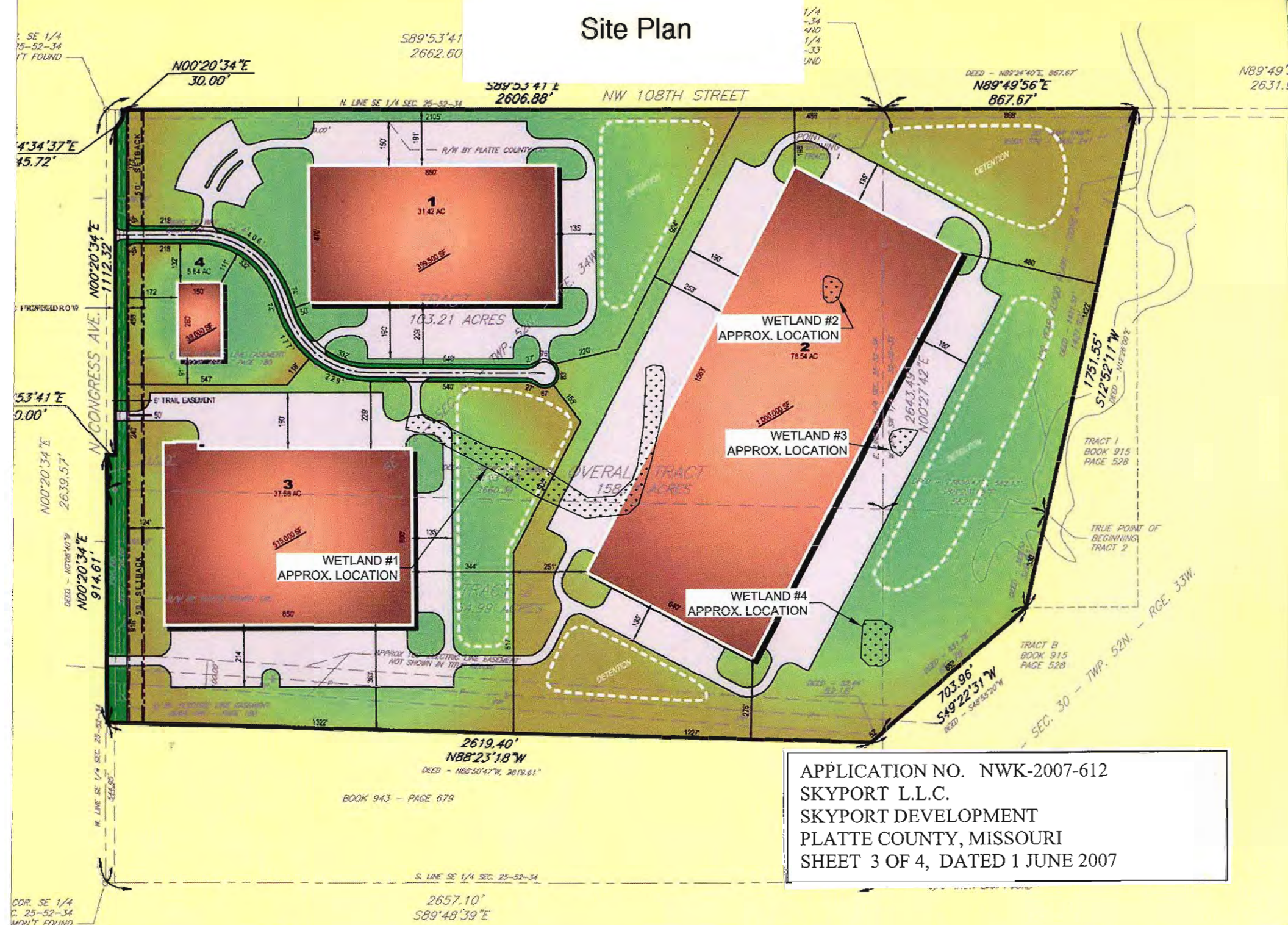
APPLICATION NO. NWK-2007-612
SKYPORT L.L.C.
SKYPORT DEVELOPMENT
PLATTE COUNTY, MISSOURI
SHEET 1 OF 4, DATED 1 JUNE 2007

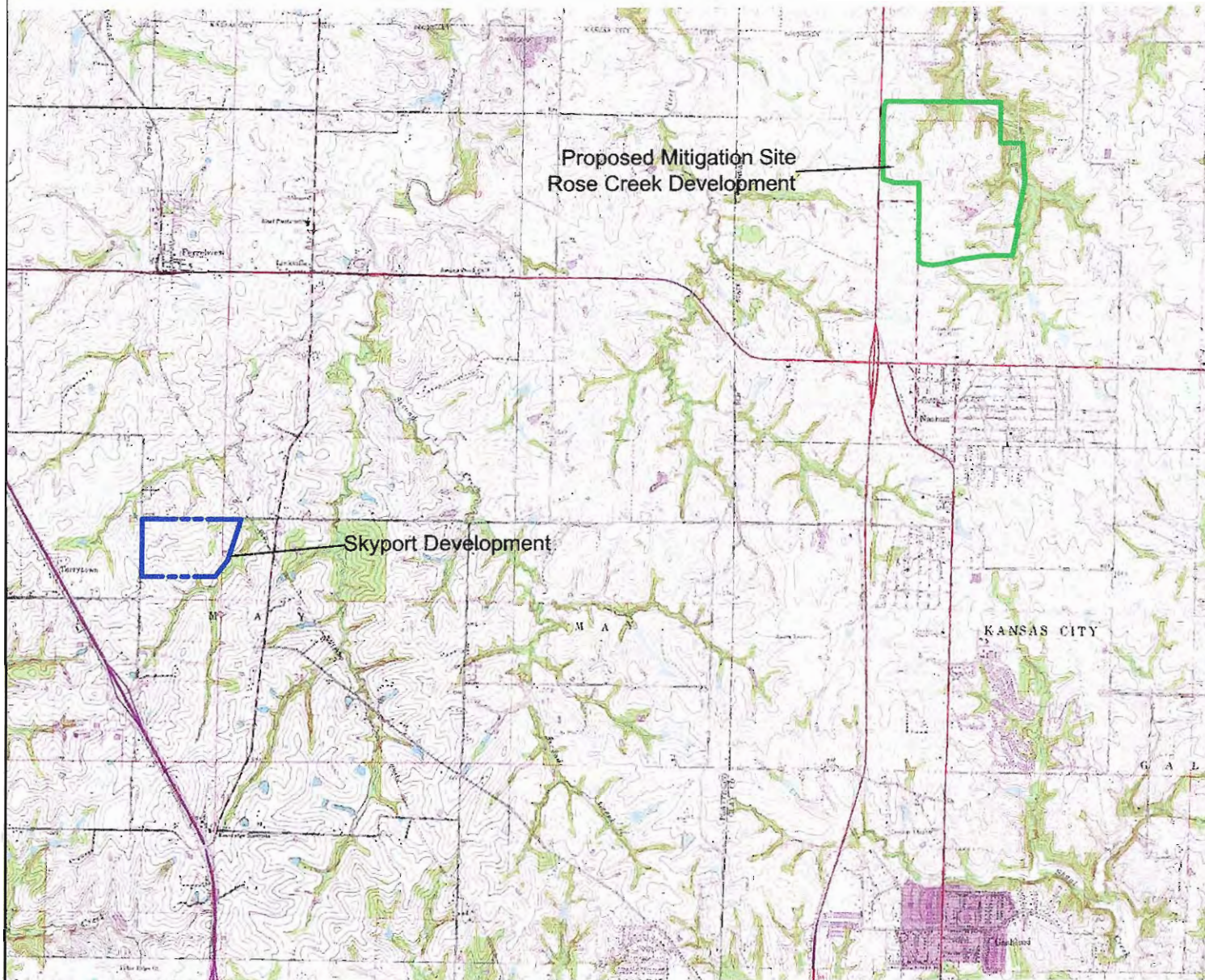


APPLICATION NO. NWK-2007-612
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Site Plan





NORTH

LEGEND

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TOPO IMAGE FROM TERRASERVER-USA
<http://terraserver.homeadvisor.msn.com/>

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SKYPORT L.L.C.
SKYPORT DEVELOPMENT
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SHEET 4 OF 4, DATED 1 JUNE 2007